



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
J. Patrick Fex, Jr.)
Serial No.: 10/663,230) Examiner: Basil S. Katcheves
Filed: September 16, 2003) Group Art Unit: 3635
FOR: INTERNAL BUILDING PRESSURE) Confirmation No: 2114
APPARATUS AND METHOD)

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RESPONSE TO NOTICE OF NON-COMPLIANCE DATED MAY 31, 2006

5 This paper is submitted in response to the Notice of Non-Compliance dated May 31, 2006 and includes the corrected response to the Office Action dated March 9, 2006 for the above-identified application. The Notice of Non-Compliance set an initial one-month shortened statutory period for response and this response is filed within that period.

10 **AMMENDMENT TO "BACKGROUND OF THE INVENTION"**

15 The following six paragraphs are to be inserted in the section "BACKGROUND OF THE INVENTION", to better disclose the invention and separate it from ALL other patents in the World. I hereby declare that the included FACTS were discovered by me and me alone. To COMPLETELY SOLVE a problem, one MUST FIRST COMPLETELY understand the TRUE problem. Up until that MOMENT, one is ONLY "treating" the SYMPTOMS of

the PROBLEM. Which is EXACTLY what ALL BEFORE ME are doing. I offer the COMPLETE CURE for ALL of the problems they are encountering.

5 I believe that I am the first to FULLY UNDERSTAND the "dynamic" situation, that occurs within EVERY multiple floor building, that I have EVER studied. I originally alluded to this situation in my original application, but chose to keep this IMPORTANT DISCOVERY out of the public eye, until I had finished learning ALL I could from it. I just filed the last patent I have "learned" from this phenomenon, on how to construct "homes" to withstand 240 MPH winds. I have decided that NOW is the time to reveal it, 10 and I am NOW amending my original application, through this filing. There is NOT another patent, or paper, or internet article, or person that asserts this IMPORTANT NEW DISCOVERY.

15 On page 3, line 16, of my original application and after the words "uncontrollably spreading germs throughout a hospital.", a new paragraph is begun as follows:

20 "A prevalent MISCONCEPTION that must be clarified with this patent, is that "warm air rising between" the various floors of a multiple floor building, is a problem. Even as of today, ASHRAE still says that this is one of the PRIMARY reason air moves from the lower floors of multiple floor buildings, to the upper floors. The extensive applications of "FIRE CODES" which began in the early 1970's, "sealed" the individual floors from each other, effectively turning them into "INDIVIDUAL PRESSURE VESSELS". The SLIGHT "pushing" pressure generated by the "buoyancy factors" of "warm 25 air rising" is INSUFFICIENT to move air through the remaining holes, or even closed elevator doors.

The true cause of air moving from the lower floors of buildings towards the upper floors, is a DIRECT RESULT of dramatically higher speed winds impinging on the walls of the upper floors. EVERY DAY, OF EVERY

YEAR. Plus, the wind continues to accelerate over the height of the building, increasing their effect. This increased wind velocity actually "sucks/pulls/ exfiltrates", MUCH LARGER amounts of air from the upper floors, than ANYONE thought.

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In 1648 Blaise Pascal wrote the primary rule of pressure "any change in pressure applied at any given point on a confined and incompressible fluid is transmitted undiminished throughout the fluid". The "air" within a standard multiple story building is our "fluid" and can be considered "confined" by the building's walls. The influences inside of a standard multiple floor building, even the TALLEST one in the World, are incapable of "compressing" the existing air column to any significant amount, due to the aforementioned FIRE CODES. ASHRAE suggest the opposite with it's use of "stack pressures".

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I ask the simple question, how can a multiple floor buildings with "sealed" FIRE floors, generate a "stack pressure"? Air in a multiple floor building can be considered "incompressed". Air is "compressed" by the fans of the air handling equipment, which can add heat, but this same air as it exist on the various floors, is "incompressed". So, as this SIGNIFICANT "negative" pressure influence is generated and "applied" to these upper floors, it is "transmitted throughout the" air of the ENTIRE BUILDING, regardless of the number of floors involved, or the applied FIRE CODES.

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As this "negative" pressure influence generated on the upper floors of multiple floor buildings, seeks to reach equilibrium within the confines of the building "vessel", it "sucks/pulls/draws" from the lower floors. The "negative" pressure generated, IS sufficient to affect ALL of the individual floors of the building, regardless of the applied FIRE CODES. As more and more air is "sucked/pulled/exfiltrated" from the upper floors, over height, the increasing "negative" pressures generated, in turn "sucks/pulls/draws" even more and more air from the lower floors. Another rule of pressure is

"air will move from areas of higher pressure, towards areas of lower pressure". These lower floors simply represent, the "source of least resistance" for air, to replace the air "LOST" from the upper floors.

5 It takes the DRAMATIC and DEEP "negative" pressures generated EXACTY as described, to "suck/pull/draw" air through even the smallest remaining cracks, between the floors and through wall cavities, floor cavities, ceiling cavities and ANY other interstitial space of a multiple floor building. NEITHER "warm air rising", NOR "stack effect", could EVER produce the building pressure problems that the Applicant has
10 encountered. To COMPLETELY SOLVE a problem, one MUST FIRST COMPLETELY understand the problem. Up until that MOMENT, one is ONLY "treating" the SYMPTOMS of the PROBLEM. Which is EXACTLY what ASHRAE and ALL BEFORE ME are doing. TREATING SYMPTOMS. I offer the COMPLETE CURE for ALL of the "BUILDING PRESSURE" problems they are encountering.
15 Applicant is the first to FULLY UNDERSTAND this "dynamic" situation, that occurs within EVERY multiple floor building."

Now return to the original application page 3, line 16, and begin a new paragraph beginning with the words "Thus, there is a need in the...".
20 No sentences are removed from this filing by this amendment.